

1. The following is an examiner's statement of reasons for allowance: None of the prior art discloses the claimed invention. Specifically, independent claim 1 requires inventive feature of "determining an encoding type for the picture according to the available memory bandwidth value". Independent claim 33 requires inventive feature "second means for determining a motion estimation type and a search range associated with the motion estimation type for the block according to the available memory bandwidth value". The inclusion of such features, in combination with other features, in the claims renders the claims allowable. The prior art references found are Lempel, Nygren et al, Balakrishnan et al and Hrusecky . These references fail to disclose the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc Tran whose telephone number is (571) 272-7399. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian P. Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phuoc Tran/
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